Cr.MMO No.131 of 2006.

9.5.2007. Present: Mr. K.S. Banyal, Advocate, for the petitioner.

The respondent has been served, but is absent despite service.

Vide the impugned order dated 10th October, 2006, the learned Judicial Magistrate Ist Class (4), Shimla dismissed the complaint filed by the petitioner-complainant on the ground of non-appearance of the complainant in the Court. Since no one appears on behalf of the respondent to oppose this petition, I allow this petition and by setting aside the order dated 10th October, 2006 revive and restore the complaint to its original position.

The petition is allowed and disposed of.

9th May, 2007. (V.K. Gupta), C.J.

(tr)